

S. R. No. 268—By Senator Schwartz: Extending welcome to Mrs. Byron Everts.

Adjournment

On motion of Senator Aikin the Senate at 12:37 o'clock p.m. adjourned until 10:00 o'clock a. m. tomorrow.

ELEVENTH DAY

(Thursday, July 6, 1972)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President Pro Tempore.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Schwartz
Connally	Sherman
Creighton	Snelson
Grover	Tippen
Hall	Wallace
Harrington	Watson
Harris	Wilson
Herring	Word
Hightower	

A quorum was announced present.

Senator A. M. Aikin, Jr. offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

(President in Chair.)

Senate Resolution 104 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

S. R. No. 104, Petitioning the Congress of the U. S. to propose a Constitutional amendment prohibiting forced busing.

The resolution was read and was adopted by the following vote:

Yeas—24

Aikin	Hightower
Bates	Kothmann
Beckworth	Mauzy
Blanchard	McKool
Brooks	Moore
Christie	Patman
Connally	Sherman
Creighton	Snelson
Grover	Tippen
Harrington	Wallace
Harris	Watson
Herring	Word

Nays—4

Bernal	Kennard
Jordan	Schwartz

Absent

Bridges	Wilson
Hall	

Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S. C. R. No. 13.

H. C. R. No. 31.

Senate Concurrent Resolution 19

By unanimous consent, Senator Grover offered the following resolution:

S. C. R. No. 19, Inviting The Honorable Spiro T. Agnew to address a Joint Session.

Be it Resolved by the Senate of Texas, the House of Representatives concurring, That the Honorable Spiro T. Agnew, Vice-President of the United States, be, and he is hereby, invited to address a Joint Session of the Texas Legislature in the Hall of the House at 2:00 p.m. on Friday, July 7, 1972; and, be it further

Resolved, That a copy of this Resolution be prepared for the Vice-President as his official invitation from the Texas Legislature.

GROVER
HARRIS

The resolution was read.

On motion of Senator Grover and by unanimous consent, the resolution was considered immediately and was adopted.

Message From the House

Hall of the House of Representatives
Austin, Texas,
July 6, 1972.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 17, Petitioning the Congress of the United States for a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States to prevent the assignment of students based on race, religion, color, or national origin.

H. C. R. No. 39, Expressing appreciation and gratitude to individuals, organizations and all citizens of Texas for their efforts on behalf of the University of Texas at the Permian Basin.

H. C. R. No. 38, Commending the Family Law Section of the State Bar of Texas.

H. C. R. No. 40, Expressing gratitude to all citizens of Texas who donated books to the library of the University of Texas at the Permian Basin.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**Senate Resolution 194 on
Second Reading**

The President laid before the Senate on its second reading and passage to engrossment:

S. R. No. 194, Proposing a complete revision of Rules of the Senate for the 62nd Legislature, Third Called Session.

Question: Shall S. R. No. 194 as amended be adopted?

Senator Brooks offered the following amendment to the resolution:

Amend Senate Resolution 194 by changing the period at the end of the first sentence of subsection (2) of Rule 64 to a comma and adding the following:

"or admitted by a resolution or motion passed by the Senate."

The amendment was read and was adopted.

Senator Wallace offered the following amendment to the resolution:

Amend the proposed Rules of the Senate by deleting Rule 105 and substituting the following:

"105. Hearings on bills before any Committee or Subcommittee shall be open to the public, unless otherwise provided by these Rules, and reasonable opportunity shall be afforded to interested parties to appear before the Committee or Subcommittee. All parties appearing before any Committee or Subcommittee shall be administered an oath or affirmation that the testimony they give is true and correct. This oath or affirmation shall be administered by the Chairman or Acting Chairman of the Committee. Any person registered as a lobbyist and representing a client's interest at such hearing when possible shall submit a written statement of his presentation to the Committee Clerk to be made part of the permanent record of the meeting. The Committee by a majority vote shall have the right to fix the order of appearance and the time to be allotted to any such interested party. Any Member of the Senate, by making timely written requests therefor upon the Chairman of the Committee, or Vice-Chairman in the absence of the Chairman, shall be entitled to receive at least forty-eight (48) hours advance notice in writing of the time and place of the hearing on any bill or bills specified in the demand, but the time and place of hearing on any bill having been fixed in response to said request, the Chairman shall not be required to change or delay said hearing upon subsequent requests from other Members of the Senate. After the receipt of such notice by the Chairman of the Committee (or Vice-Chairman in the absence of the Chairman), no hearing shall be held by the Committee or action taken on such bill or bills unless such notice has been previously given as required herein. A Member of the Senate shall not be entitled to receive at least forty-eight (48) hours advance notice in writing of the time and place of the hearing on any bill or bills if a notice of the time and place of the hearing is posted at least seventy-two (72) hours before the time of the hearing and the Senate is in session at any time during the first twenty-four (24) hours of the seventy-two (72) hour period.

The amendment was read and was adopted.

Senator Patman offered the following amendment to the resolution:

Amend Rule Number 29 of the proposed Senate Rules by adding to the last paragraph thereof the following language:

"... the vote of the absent Member, while recorded as an expression of his opinion of the matter considered shall not be counted in the total of votes for or against the measure or motion."

The amendment was read and was adopted.

Senator Patman offered the following amendment to the resolution:

Amend Rule Number 110 of the proposed Senate Rules by striking the last paragraph thereof which reads as follows:

"No bill or resolution shall be reported favorably unless it has received the affirmative vote of a majority of the Membership of the Committee or Subcommittee to which it was referred, except as provided in Rule 109."

The amendment was read.

Senator Schwartz offered the following substitute for the pending amendment to the amendment:

Amend S. R. 194, Rule 110 by striking the words "or sub-committee" where they appear in the second paragraph.

The substitute for the amendment was read.

Senator Patman raised the Point of Order that the substitute amendment by Senator Schwartz was not a proper substitute for his pending amendment.

The President sustained the Point of Order.

Question recurring on the adoption of the Patman amendment, Senator Schwartz moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—25

Aikin

Beckworth

Bernal
Blanchard
Bridges
Christie
Connally
Creighton
Grover
Harrington
Harris
Herring
Hightower
Jordan

Kennard
Kothmann
Mauzy
McKool
Moore
Schwartz
Sherman
Tippen
Watson
Wilson
Word

Nays—4

Brooks
Patman

Snelson
Wallace

Absent

Bates

Hall

Senator Schwartz offered the following amendment to the resolution:

Amend S. R. 194, Rule 110 by striking the words "or sub-committee" where they appear in the second paragraph.

The amendment was read and was adopted.

Senator Mauzy offered the following amendment to the resolution:

Amend S. R. 194, Section 92 by substituting the following:

"92. Any bill, petition or resolution may be referred from one committee or subcommittee to another committee or subcommittee at any stage on the proceedings of such bill, petition or resolution by a majority of the elected Members of the Senate. Any bill, petition or resolution may be committed to any committee or subcommittee at any stage of the proceedings on such bill, petition or resolution by a majority vote of the elected Members of the Senate. A bill or joint resolution committed to a committee or subcommittee while on third reading shall be considered as on its second reading if reported favorably back to the Senate.

When several motions shall be made for reference of a subject to a committee, they shall have preference in the following order:

First: To a Committee of the Whole Senate

Second: To a Standing Committee

Third: To a Standing Subcommittee

Fourth: To a select committee."

MAUZY
BERNAL

The amendment was read and failed of adoption by the following vote:

Yeas—12

Beckworth	Kothmann
Bernal	Mauzy
Brooks	McKool
Connally	Patman
Jordan	Wallace
Kennard	Wilson

Nays—19

Aikin	Herring
Bates	Hightower
Blanchard	Moore
Bridges	Schwartz
Christie	Sherman
Creighton	Snelson
Grover	Tippen
Hall	Watson
Harrington	Word
Harris	

Senator Mauzy offered the following amendment to the resolution:

Amend the proposed rules of the Senate by adding after Rule 94(b) a subsection (c) to read as follows, and re-letter each subsequent subsection. Rule 94(c) shall read as follows:

"(c) Once appointed to a standing committee, a Member shall be entitled to remain a member thereof as long as he chooses, and is a Member of the Senate, unless removed from the committee for cause by a majority vote of all Members elected to the Senate."

The amendment was read and failed of adoption by the following vote:

Yeas—14

Beckworth	Herring
Bernal	Kennard
Blanchard	Kothmann
Connally	Mauzy
Creighton	McKool
Grover	Sherman
Harris	Wallace

Nays—16

Aikin	Jordan
Bates	Moore
Bridges	Patman
Brooks	Schwartz
Christie	Snelson
Hall	Tippen
Harrington	Watson
Hightower	Word

Absent

Wilson

Senator Mauzy offered the following amendment to the resolution:

Amend Rule 94 of S. R. 194 by adding the following:

"No Member may serve on more than two of the following committees: Finance, State Affairs, Jurisprudence and Administration."

The amendment was read and was adopted by the following vote:

Yeas—16

Beckworth	Jordan
Bernal	Kennard
Blanchard	Kothmann
Brooks	Mauzy
Creighton	McKool
Grover	Patman
Harrington	Tippen
Harris	Wallace

Nays—13

Aikin	Moore
Bates	Schwartz
Bridges	Sherman
Christie	Snelson
Hall	Watson
Herring	Word
Hightower	

Absent

Connally Wilson

Senator Mauzy offered the following amendment to the resolution:

Amend the proposed rules of the Senate by adding to the end of Rule 12 the following:

"A motion to suspend the rules to consider a bill shall not be in order until at least five bills on the day's

Senate calendar shall be considered and disposed of."

The amendment was read and failed of adoption by the following vote:

Yeas—9

Beckworth	McKool
Bernal	Patman
Harrington	Wallace
Kennard	Wilson
Mauzy	

Nays—21

Aikin	Brooks
Bates	Christie
Blanchard	Creighton
Bridges	Grover

Hall	Schwartz
Harris	Sherman
Herring	Snelson
Hightower	Tippen
Jordan	Watson
Kothmann	Word
Moore	

Absent

Connally

**Motion to Reconsider Vote by Which
Amendment by Senator Mauzy
Adding Rule 94(c) Failed
of Adoption**

Senator Bates moved to reconsider the vote by which the amendment by Senator Mauzy adding Rule 94(c) failed of adoption.

On motion of Senator Bates and by unanimous consent, the motion to reconsider the vote was withdrawn.

Senator Mauzy offered the following amendment to the resolution:

Amend the proposed Rules of the Senate by deleting Rule 86 and substituting the following:

"86. During the first sixty (60) calendar days of the session, it shall be in order to file with the Secretary of the Senate bills for introduction during that session. Such bills will be numbered upon receipt and will be introduced not later than the next legislative day; all House and Senate bills will be referred to a proper committee not later than the next legislative day after introduction, provided however that any time during the session, resolutions, emergency appropriations, emergency matters specifically submitted by the Governor and special messages to the Legislature, and local bills (as defined in Rule 88) may be filed with the Secretary of the Senate, introduced and referred to the proper committee, and disposed of under the Rules of the Senate."

The amendment was read and was adopted.

Senator Kennard offered the following amendment to the resolution:

Amend Senate Resolution 194 by adding a new paragraph to Rule 94 as follows:

(f) No amendment shall be offered to any Tax Bill on Second Reading unless the subject matter it entails

has been discussed at a public hearing.

The amendment was read and was adopted.

Record of Vote

Senator Grover asked to be recorded as voting "Nay" on the adoption of the amendment.

Senator Brooks offered the following amendment to the resolution:

Amend Senate Resolution 194 by adding a new subsection under Rule 94 to be designated subsection (f) and to read as follows:

"(f) The provisions of this rule shall become effective upon ratification by the Senate of the 63rd Legislature."

The amendment was read.

On motion of Senator Brooks and by unanimous consent, the amendment was withdrawn.

Senator Mauzy offered the following amendment to the resolution:

Amend Rule 93 by deleting the whole rule and substituting the following:

"(93) The Members of the Senate shall elect the Chairman and Members of each standing committee and subcommittee.

(a) Prior to the first legislative day of each session of the Legislature, Members of the Senate shall caucus according to political party affiliation and elect a caucus chairman and secretary; the caucus shall then select its nominees for the Chairmanship of each standing Committee and Subcommittee. Each caucus shall then canvass its membership, on the basis of seniority, to determine Members' preference for nomination to Membership to fill the vacancies on the various committees. Each caucus shall determine its own basis of seniority. Each caucus shall then determine its nominees to the various committees, subject to election by the Senate, in accordance with limitations placed on committee membership as designated in Section B of Rule 94.

(b) All Committees and Committee Chairmen shall be elected by the Senate sitting as a Committee of the Whole.

(c) Immediately following the adoption of the Senate Rules, the Senate shall resolve itself into a Committee

of the Whole to elect the Chairman of each of the standing Committees and Subcommittees designated under Rule 94(A). The Senate, sitting as a Committee of the Whole, shall then proceed to elect the membership of these Committees and Subcommittees in strict accordance with the provisions of Rule 94.

(d) Seniority, as used within the context of these Rules, shall mean total time served as a Member of the Senate, which service need not be consecutive. Except for the Chairman and Vice-Chairman, members of a standing Committee or Subcommittee shall rank according to their seniority, and Members with the same seniority shall rank according to age or shall draw numbers to determine the order of their ranking in accordance with the preference of the Committee."

The amendment was read and failed of adoption by the following vote:

Yeas—10

Beckworth	Kennard
Bernal	Mauzy
Hall	McKool
Harris	Patman
Jordan	Wallace

Nays—20

Aikin	Herring
Bates	Hightower
Blanchard	Kothmann
Bridges	Moore
Brooks	Schwartz
Christie	Sherman
Connally	Snelson
Creighton	Tippen
Grover	Watson
Harrington	Word

Absent

Wilson

Senator Patman offered the following amendment to the resolution:

Amend the proposed Senate Rules by adding a new rule to be numbered and to read as follows:

"III. These rules may be amended or rejected by any future Senate of any future Legislature by a simple majority vote of the Members present."

The amendment was read.

On motion of Senator Patman and by unanimous consent, the amendment was withdrawn.

The resolution (S. R. No. 194) as amended was then adopted by the following vote:

Yeas—28

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Schwartz
Creighton	Sherman
Grover	Snelson
Hall	Tippen
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Nays—2

Bernal Patman

Absent

Connally

Notice of Executive Session

Senator Christie gave notice that he would move for an Executive Session of the Senate at 3:00 o'clock p.m. tomorrow.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
July 6, 1972.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 11, Requesting the Advisory Council for Technical-Vocational Education in Texas to conduct a study.

(With amendment.)

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Concurrent Resolution 11
With House Amendment

Senator Brooks called S. C. R. No. 11 from the President's table for consideration of the House amendment to the resolution.

The President laid the resolution and the following House amendment before the Senate:

Committee Amendment No. 1

Amend the first resolved clause of S. C. R. No. 11 by striking “; and, be it further” and substituting the following:

“(4) the present state of development of a uniform cost accounting system that displays all elements of cost in vocational, occupational and technical education programs in post secondary institutions; and, be it further”

The House amendment was read.

Senator Brooks moved that the Senate concur in the House amendment.

The motion prevailed.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
July 6, 1972.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 17, Suspending the Joint Rules to allow consideration of additions to and changes in the Conference Committee Report on S. B. 1.

(With amendments.)

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**Senate Concurrent Resolution 17
With House Amendments**

Senator Aikin called S. C. R. No. 17 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and the following House amendments before the Senate:

Committee Amendment No. 1

Amend S. C. R. No. 17 by adding the following language after the last paragraph:

Increase the amount for peanut research under the Texas Agricultural Experiment Station by \$50,000 and specify that it be spent at Yoakum, Texas. S. B. has an amount of \$315,868 and H. B. had \$288,313, Conference bill has \$365,868.

Floor Amendment No. 1

Amend S. C. R. 17 by adding thereto a new paragraph to read as follows:

Delete all material pertaining to the Civil Judicial Council on page I-11 of House substitute for S. B. No. 1, and substituting in lieu thereof the following:

“CIVIL JUDICIAL COUNCIL**Personal Services—**

1. Executive Secretary
(Exempt) \$ 14,500
2. Stenographer I 4-0126... 6,408
3. Seasonal Help 3,500

Total, Personal Services\$ 24,408

4. Travel, consumable supplies and materials, current and recurring operating expense, printing, books, group insurance, and capital outlay, to carry out the purposes of Chapter 19, Acts, Forty-first Legislature, First Called Session, 1929, as amended, the sum of.... 10,761

Total, Civil Judicial
Council.....\$ 35,169”

Floor Amendment No. 2

Amend S. C. R. 17 by adding thereto a new paragraph to read as follows:

Delete item 5 in the Appropriation to the Court of Civil Appeals for the 13th District as contained in Article I on page I-7 of House substitute for S. B. No. 1, and substituting in lieu thereof the following:

- “5. Briefing Legal Clerk, 2
at \$9,000 each.....\$ 18,000”
- and by changing the item entitled “Subtotal, Personal Services” from \$132,940 to \$141,940 and by changing the item entitled “Total, Thirteenth District, Corpus Christi” from \$133,355 to \$147,355.

The House amendments were read.

Senator Aikin moved that the Senate concur in the House amendments.

The motion prevailed.

House Resolution on First Reading

The following resolution received from the House, was read the first time and referred to the Committee indicated:

H. C. R. No. 17, To Committee on State Affairs.

Recess

On motion of Senator Aikin, the Senate at 12:35 o'clock p.m. took recess until 2:55 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:55 o'clock p.m. today.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
July 6, 1972.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 19, Inviting the Honorable Spiro T. Agnew, Vice-President of the United States, to address a Joint Session of the Texas Legislature at 2:00 p.m., Friday, July 7, 1972.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Executive Session

On motion of Senator Christie and by unanimous consent, the Senate agreed to hold an Executive Session at 3:00 o'clock p.m. today (he having given Notice on yesterday).

Accordingly, The President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations:

To be Members of the Neches River Conservation District, Board of Directors: For a six-year term to expire September 5, 1977: William A. Turner, of Crockett, Houston County; Warner A. Dunn, D.V.M., of Nacogdoches, Nacogdoches County; Charles Earl Nisbet, of Lufkin, Angelina County.

To be a Member of the State Board of Chiropractic Examiners: For a

six-year term to expire August 3, 1977: Harvey H. Kennedy, D.C., of Longview, Gregg County, for reappointment.

To be a Member of the State Board of Chiropractor Examiners: For a six-year term to expire August 3, 1977: Sterling H. Pruitt, D.C., of Fort Worth, Tarrant County, for reappointment.

To be a Member of the State Board of Chiropractic Examiners: For a six-year term to expire August 3, 1977: Walter H. Fischer, D.C., of Temple, Bell County, for reappointment.

To be a Member of the Texas Water Development Board: For a six-year term to expire December 30, 1977: Robert B. Gilmore, of Dallas, Dallas County, for reappointment.

To be a Member of the Texas Water Development Board: For a six-year term to expire December 30, 1977: W. E. Tinsley, of Austin, Travis County, for reappointment.

To be a Member of the Public Safety Commission: For a six-year term to expire December 31, 1977: Ottis E. Lock, of Lufkin, Angelina County, to replace Clifton W. Cassidy, Jr., of Richardson, Dallas County.

To be Secretary of State of the State of Texas: For a term to run concurrent with the Governor of Texas: The Honorable Bob Bullock, of Austin, Travis County, to replace The Honorable Martin Dies, Jr., of Lufkin, Angelina County, resigned.

To be a Member of the Texas Cosmetology Commission: For a four-year term to expire December 31, 1975: Richard C. Ingram, of Dallas, Dallas County.

To be a Member of the Texas Cosmetology Commission: For a two-year term to expire December 31, 1973: LaVonne Daniel, of Pasadena, Harris County.

To be a Member of the Texas Cosmetology Commission: For a two-year term to expire December 31, 1973: Frank Joseph, of Harlingen, Cameron County.

To be a Member of the Texas Water Rights Commission: To fill the unexpired term of Leslie R. Neal, of San Antonio, Bexar County, resigned,

term to expire February 1, 1975: Dorsey Hardeman, of San Angelo, Tom Green County.

To be a Member of the Texas Vending Commission: For a two-year term to expire September 1, 1973: Don M. Edmondson, of San Antonio, Bexar County.

To be a Member of the Texas Vending Commission: For a two-year term to expire September 1, 1973: Gene R. Hendryx, of Alpine, Brewster County.

To be a Member of the Texas Vending Commission: For a four-year term to expire September 1, 1975: Gilbert G. Seelmeyer, of El Paso, El Paso County.

To be a Member of the Texas Vending Commission: For a four-year term to expire September 1, 1975: Jack C. Morgan, of Kaufman, Kaufman County (resigned).

To be a Member of the Water Quality Board: For a six-year term to expire September 1, 1977: J. Doug Toole, Sr., of Houston, Harris County, to replace Jerry L. Brownlee, of Fort Worth, Tarrant County.

To be a Member of the Performance Certification Board: For a six-year term to expire August 31, 1977: Wilfred David Chrisner, of Austin, Travis County.

To be a Member of the Performance Certification Board: For a four-year term to expire August 31, 1975: Henry P. Eckstein, of Texarkana, Bowie County.

To be a Member of the Coordinating Board, Texas College and University System: For a six-year term to expire August 31, 1977: Harvey Weil, of Corpus Christi, Nueces County, for reappointment.

To be a Member of the Finance Commission of Texas: For a six-year term to expire February 1, 1977: C. E. Bentley, Jr., of Abilene, Taylor County, for reappointment.

To be a Member of the Finance Commission of Texas: For a six-year term to expire February 1, 1977: Horacio P. Guerra, III, of McAllen, Hidalgo County, to replace V. F. Neuhaus, of Mission, Hidalgo County.

To be a Member of the Finance Commission of Texas: To fill the un-

expired term of James L. Lindsey, of College Station, Brazos County, resigned, term to expire February 1, 1975: Bill Ed McLaughlin, of Lubbock, Lubbock County.

To be a Member of the State Banking Board: To fill the unexpired term of Elmer D. Baum, D.O., of Austin, Travis County, resigned, term to expire January 31, 1973: James L. Lindsey of College Station, Brazos County.

To be a Member of the Texas Cosmetology Commission: For a six-year term to expire December 31, 1977: James A. McMullen, III, of Fort Worth, Tarrant County.

To be a Member of the Texas Cosmetology Commission: For a four-year term to expire December 31, 1975: Harold G. Grace, of Austin, Travis County.

To be a Member of the Texas Cosmetology Commission: For a six-year term to expire December 31, 1977: Herby Cohen, of Longview, Gregg County.

The Secretary of the Senate also informed the Journal Clerk that the Senate had rejected the following nomination:

To be a Member of the Texas Vending Commission: For a six-year term to expire September 1, 1977: L. C. Butler, of Houston, Harris County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 4:22 o'clock p.m.

Reports of Standing Committees

By unanimous consent, Senator Hall submitted the following report for the Committee on State Affairs:

S. C. R. No. 10.

By unanimous consent, Senator Blanchard submitted the following report for the Committee on Insurance:

S. R. No. 267.

Motion to Record Vote

Senator Schwartz asked unanimous consent that he be shown as voting "Yea" on the adoption of Senate Resolution 104 which was adopted today.

There was objection.

Reason for Vote

The reason for my vote against S. R. 104 is that as a simple Senate Resolution it has no effect upon the Congress of the United States of America or the State of Texas and as a member of the Appropriations Conference Committee I have voted for and we have already included language in the Appropriation to the Texas Education Agency as follows and that rider language is a more adequate expression of the legislative intent of both the Senate of the State of Texas and the House of Representatives on the issue of forced busing.

"None of the funds appropriated to the Texas Central Education Agency may be used to prohibit the practice of transporting eligible and ineligible pupils on the same buses by those districts which choose to transport ineligible pupils at local expenses.

None of the funds appropriated to the Texas Central Education Agency may be used for the purpose of transporting Texas school children for the sole purpose to achieve racial balance except to comply with a court order or a valid existing Federal or State law."

SCHWARTZ

Notice of Executive Session

Senator Christie gave notice that he would move for an Executive Session of the Senate at 3:30 o'clock p.m. tomorrow (he having previously given notice for 3:00 o'clock p.m. tomorrow).

Memorial Resolutions

H. C. R. No. 30—Memorial resolution for W. C. "Red" Cowan.

S. C. R. No. 20—By Senator Her-ring: Memorial resolution for Max Hugo Starcke (amended).

S. R. No. 269—By Senators Blanchard and Harris: Memorial resolution for Dr. William D. Miller (amended).

S. R. No. 271—By Senator Snelson: Memorial resolution for Luther N. "Luke" Garner.

S. R. No. 272—By Senator Snelson: Memorial resolution for W. Ernest Dunlap.

S. R. No. 273—By Senator Snelson: Memorial resolution for F. Grady Mit-cham.

S. R. No. 274—By Senator Snelson: Memorial resolution for Owen Lee Welborn.

S. R. No. 275—By Senator Snelson: Memorial resolution for Fred Girdley.

S. R. No. 276—By Senator Snelson: Memorial resolution for Mrs. Flora Elizabeth Noelke.

S. R. No. 277—By Senator Snelson: Memorial resolution for Edgar Stroeher.

S. R. No. 278—By Senator Snelson: Memorial resolution for Curtis Escue "Red" Covington.

S. R. No. 279—By Senator Snelson: Memorial resolution for M. T. "Smit-ty" Smith.

S. R. No. 280—By Senator Snelson: Memorial resolution for Jack Nolan.

S. R. No. 281—By Senator Snelson: Memorial resolution for Mrs. Lucy Ann Davis.

S. R. No. 282—By Senator Snelson: Memorial resolution for Walter G. Moxey.

S. R. No. 283—By Senator Snelson: Memorial resolution for J. B. Bain.

S. R. No. 284—By Senator Snelson: Memorial resolution for District Judge C. E. (Pat) Patterson.

S. R. No. 288—By Senator Watson: Memorial resolution for George Cleveland Witt, Sr.

S. R. No. 289—By Senator Watson: Memorial resolution for Leon H. Slade.

S. R. No. 290—By Senator Watson: Memorial resolution for Mrs. Elizabeth Amsler Leavitt.

S. R. No. 291—By Senator Watson: Memorial resolution for Mrs. S. D. (Willie) Dollahite.

S. R. No. 292—By Senator Watson: Memorial resolution for Mrs. Goldie Lee Champion.

S. R. No. 293—By Senator Watson: Memorial resolution for William L. Blaine.

S. R. No. 295—By Senator Watson: Memorial resolution for Ralph Wil-son, Sr.

S. R. No. 297—By Senator Watson: Memorial resolution for Dr. Carlton Downing.

S. R. No. 298—By Senator Watson: Memorial resolution for Sheriff Clyde Curtis Maxey.

S. R. No. 300—By Senator Watson: Memorial resolution for Dr. Charles G. Catto.

S. R. No. 301—By Senator Watson: Memorial resolution for Dr. Thelbert F. Bunkley.

S. R. No. 303—By Senator Watson: Memorial resolution for Dr. Charles G. Smith.

S. R. No. 304—By Senator Watson: Memorial resolution for Dr. Earl Mundell.

S. R. No. 305—By Senator Watson: Memorial resolution for Jessie Lee Hartnett.

S. R. No. 306—By Senator Watson: Memorial resolution for Jack M. May.

S. R. No. 307—By Senator Watson: Memorial resolution for Joe Duber.

S. R. No. 308—By Senator Watson: Memorial resolution for Curtis Wayne Hoeldtke.

Welcome and Congratulatory Resolutions

H. C. R. No. 34—Extending congratulations to Frank T. Abraham.

H. C. R. No. 32—Extending congratulations to George A. Thompson.

H. C. R. No. 38—Commending the Family Law Section of the State Bar of Texas.

H. C. R. No. 39—Expressing appreciation and gratitude to citizens of Texas for their efforts on behalf of The University of Texas at the Permian Basin.

H. C. R. No. 40—Expressing gratitude to citizens of Texas who donated books to The University of Texas at the Permian Basin.

S. C. R. No. 18—By Senators Mauzy and Herring: Extending welcome to Twenty-first Biennial Clergy-Laity Congress of the Greek Orthodox Church meeting in Houston July 1-8, 1972.

S. R. No. 270—By Senator Herring: Commending citizens of Austin for efforts in making the Pet Parade a part of the Austin Aqua Festival.

S. R. No. 285—By Senator Snelson: Extending congratulations to James Lee Collett for his achievements at Angelo State University.

S. R. No. 286—By Senator Snelson: Extending congratulations to Texas Highway Department on the occasion of the dedication of the Fred Wemple Rest Area.

S. R. No. 287—By Senator Snelson: Extending congratulations to John Cargile on his selection as "Distinguished Alumnus" of The University of Texas College of Business Administration.

S. R. No. 294—By Senator Harrington: Extending welcome to Mr. and Mrs. Charles M. Brabham.

S. R. No. 296—By Senator Watson: Extending congratulations to Ralph W. Russell for his record of service to the people of Texas.

S. R. No. 299—By Senator Watson: Extending congratulations to Dr. William Richardson White on honors extended him by Baylor University Extension Students Association.

S. R. No. 302—By Senator Watson: Extending congratulations to Dr. Cornelia Marschall Smith on her selection as a faculty "favorite" of Baylor University.

S. R. No. 309—By Senator Watson: Extending welcome to Mrs. Nelta Kacir.

Adjournment

On motion of Senator Aikin, the Senate at 4:27 o'clock p.m. adjourned until 3:15 o'clock p.m. tomorrow.

APPENDIX

Sent to Governor

July 6, 1972

S. C. R. No. 13.

TWELFTH DAY

(Friday, July 7, 1972)

The Senate met at 3:15 o'clock p.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: